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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,192	09/26/2001	Varun Singh	20661-801D1	2113

7590 12/02/2002

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EXAMINER

LEE, EUGENE

ART UNIT PAPER NUMBER

2815

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,192

Applicant(s)

SINGH ET AL.

Examiner

Eugene Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 2, 11, and 12 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear how a polysilicon resistor can have a first and second order temperature coefficient wherein the sign of said first and second order temperature coefficients are opposite (positive and negative) each other.

When a resistor has a negative temperature coefficient, the resistor will decrease in resistance as temperature increases. Conversely, when a resistor has a positive temperature coefficient, the resistor will increase in resistance as temperature increases. In this case, it is not known how a resistor can have both of these properties at the same time. Also, see Prior Art paragraph below which explains temperature coefficients.

It is also unclear how a resistor, having only a single doping of $6 \times 10^{19} \text{ cm}^{-3}$ to $1 \times 10^{20} \text{ cm}^{-3}$, less than $\sim 3.75 \times 10^{20} \text{ cm}^{-3}$, or greater than $\sim 6 \times 10^{19} \text{ cm}^{-3}$, can affect a resistor to have two different first and second order coefficient that are opposite each other.

It appears that from reading the specification (see, for example, page 3, lines 12-16) that the resistor stated in the claims is actually two resistors wherein each resistor has its own temperature coefficient. If the two resistors are intended to form one general resistor, it is still

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unclear how a single doping could form two opposite temperature coefficients and have that doping fall within the concentrations stated in the claims. FIG. 5 and 6 show two graphs, which display TC1 and TC2 respectively. These graphs also show representative doping concentrations in the boxes in the upper right hand corner. It is unclear how the **additions** of these doping concentrations (one in FIG. 5 and one if FIG. 6 in any combination) can fall within the doping concentrations stated in the claims. Proper clarification and correction are required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Insofar as definite, claims 1, 2, 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Baldwin et al. 238 B2. Baldwin discloses (see, for example, column 3, line 62 until column 4, line 7) a polysilicon resistor with opposite temperature coefficients. In column 4, lines 10-13, Baldwin discloses the doping concentration as $9 \times 10^{19} \text{ cm}^{-3}$ to $3.2 \times 10^{20} \text{ cm}^{-3}$.

5. Claims 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Isobe et al. '559. Isobe discloses (see, for example, column 1, lines 46-52) a polycrystalline silicon resistor

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containing a first impurity having a negative value of a temperature coefficient and of the polycrystalline silicon resistor, and a second impurity having a positive value of a temperature coefficient of the polycrystalline silicon resistor. Regarding claim 12, Isobe discloses (see, for example, column 1, lines 63 until column 2, lines 2) doping concentrations of $2.7 \times 10^{20} \text{ cm}^{-3}$ and 2.3×10^{19} wherein the addition of both would exceed a doping concentration of $\sim 6 \times 10^{19} \text{ cm}^{-3}$.

Prior Art

6. The prior art of made of record and not relied upon is considered pertinent to applicant's disclosure. See, for example, Kapoor '511 wherein Kapoor explains (see column 1, lines 57-*) temperature coefficients.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 2, 11, and 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

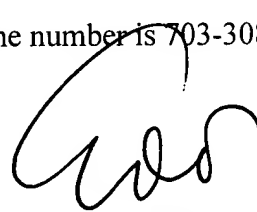
INFORMATION ON HOW TO CONTACT THE USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lee whose telephone number is 703-305-5695. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 703-308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Eugene Lee
November 26, 2002



EDDIE LEE
SUPERVISOR, EXAMINER
EUGENE LEE